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Attorney for Defendant, Bernal Anthony Mitchell

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(Honorable M. James Lorenz)

UNITED STATES OF AMERICA, Plaintiff, vs. **BERNAL ANTHONY MITCHELL (5),** Defendant.	Case No.: 08-CR-0256-005-L **DECLARATION OF MAHIR T. SHERIF IN SUPPORT OF DEFENDANT MITCHELL'S EX PARTE APPLICATION FOR INTERIM PAYMENTS** Hon. M. James Lorenz

I, Mahir T. Sherif, declare as follows:

1) I am court-appointed counsel for Defendant Bernal Anthony Mitchell in the above-entitled case.

2) I am an Attorney duly licensed to practice law in the courts of the State of California, the United States District Court for the Southern District of California, and the United States Supreme Court.

3) Bernal Anthony Mitchell is one of about 13 defendants currently charged with violating federal drug conspiracy statutes. The charges among the many

defendants include conspiracy to distribute crack cocaine and methamphetamine in violation of Title 21 U.S.C. §§ 841(a)(1) and 846; distribution of crack cocaine under Title 21 U.S.C. § 841(a); possession with intent to distribute crack cocaine and methamphetamine; aiding and abetting under Title 18 U.S.C. § 2 and Criminal forfeiture under Title 21 U.S.C. §§ 853.

4) On April 4, 2008, Defendant Mitchell moved this Court to declare this case complex. Defendant Felipe Medina joined this motion. Honorable M. James Lorenz has not yet ruled on this motion.

5) The Government has produced enormous discovery responses through the copying service Copy Connection. Said responses contain, among other things, thousands of pages of wire tap transcripts that my staff and I have reviewed for many hours.

6) I have spent a considerable amount of time reviewing the discovery and predict that much more time will be required in order to review and prepare for the substantial factual and legal issues concerning this case.

7) Although I might be able to financially carry this case through trial, doing so could place my law practice in serious financial jeopardy.

8) I hereby request that counsel for Bernal Anthony Mitchell be allowed to submit periodic billings and interim CJA vouchers and receive payment under the Criminal Justice Act while the case is pending.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 12th day of July, 2007 in San Diego California.

/s/Mahir T. Sherif
Mahir T. Sherif